

AMENDED IN SENATE JUNE 7, 2010

AMENDED IN ASSEMBLY APRIL 22, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 352**

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**Introduced by Assembly Member Audra Strickland**

February 19, 2009

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An act to amend Section 33353 of the Education Code, relating to public records.

### LEGISLATIVE COUNSEL'S DIGEST

AB 352, as amended, Audra Strickland. Public records: California Interscholastic Federation.

The California Public Records Act requires state and local agencies to make their records available for public inspection and to make copies available upon request and payment of a fee unless they are exempt from disclosure.

Existing law describes the California Interscholastic Federation (CIF), provides the intent of the Legislature regarding its policies, and requires it to report specified information to the Legislature by January 1, 2010.

This bill would additionally declare the intent of the Legislature ~~regarding the compliance of the CIF with the California Public Records Act, including the segregation and redaction of private information in specified records in response to a California Public Records Act request~~ *that the CIF comply with the California Public Records Act, and in doing so, that it be afforded the same public records disclosure exemptions as are afforded to school districts.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 33353 of the Education Code is amended to read:

33353. (a) The California Interscholastic Federation is a voluntary organization that consists of school and school-related personnel with responsibility for administering interscholastic athletic activities in secondary schools. It is the intent of the Legislature that the California Interscholastic Federation, in consultation with the department, implement the following policies:

(1) Give the governing boards of school districts specific authority to select their athletic league representatives.

(2) Require that all league, section, and state meetings affiliated with the California Interscholastic Federation be subject to the notice and hearing requirements of the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(3) Establish a neutral final appeals body to hear complaints related to interscholastic athletic policies.

(4) Provide information to parents and pupils regarding the state and federal complaint procedures for discrimination complaints arising out of interscholastic athletic activities.

(5) Comply with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), ~~including segregating and redacting private information in the following records in response to a California Public Records Act request: pupil athletic eligibility appeal documents; investigative reports; or records or information obtained as a result of investigations into member school violations of California Interscholastic Federation rules, that include information regarding pupils, school district personnel, or both, that may be protected by the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g), the Health Insurance Portability and Accountability Act of 1996 (45 C.F.R. 164.501 et seq.), this code, any applicable exception set forth in the California Public Records Act, and any other federal, state, or local statute protecting the confidentiality of pupil records and information.~~ *and in doing so, as a third party recipient of pupil and school personnel information, be afforded the same public records disclosure exemptions as are afforded to school districts, in order*

1 *to protect the confidentiality of pupil and school personnel records*  
2 *and information.*

3 (b) (1) The California Interscholastic Federation shall report  
4 to the Legislature and the Governor on its evaluation and  
5 accountability activities undertaken pursuant to this section on or  
6 before January 1, 2010. This report shall include, but not be limited  
7 to, the goals and objectives of the California Interscholastic  
8 Federation with regard to, and the status of, all of the following:

9 (A) The governing structure of the California Interscholastic  
10 Federation, and the effectiveness of that governance structure in  
11 providing leadership for interscholastic athletics in secondary  
12 schools.

13 (B) Methods to facilitate communication with agencies,  
14 organizations, and public entities whose functions and interests  
15 interface with the California Interscholastic Federation.

16 (C) The quality of coaching and officiating, including, but not  
17 limited to, professional development for coaches and athletic  
18 administrators, and parent education programs.

19 (D) Gender equity in interscholastic athletics, including, but not  
20 limited to, the number of male and female pupils participating in  
21 interscholastic athletics in secondary schools, and action taken by  
22 the California Interscholastic Federation in order to ensure  
23 compliance with Title IX of the Education Amendments of 1972  
24 (20 U.S.C. Sec. 1681 et seq.).

25 (E) Health and safety of pupils, coaches, officials, and  
26 spectators.

27 (F) The economic viability of interscholastic athletics in  
28 secondary schools, including, but not limited to, the promotion  
29 and marketing of interscholastic athletics.

30 (G) New and continuing programs available to pupil-athletes.

31 (H) Awareness and understanding of emerging issues related to  
32 interscholastic athletics in secondary schools.

33 (2) It is the intent of the Legislature that the California  
34 Interscholastic Federation accomplish all of the following:

35 (A) During years in which the California Interscholastic  
36 Federation is not required to report to the Legislature and the  
37 Governor pursuant to paragraph (1), it shall hold a public comment  
38 period relating to that report at three regularly scheduled federation  
39 council meetings per year.

- 1 (B) Annually allow public comment on the policies and practices  
2 of the California Interscholastic Federation at a regularly scheduled  
3 federation council meeting.
- 4 (C) Require sections of the California Interscholastic Federation  
5 to allow public comment on the policies and practices of the  
6 California Interscholastic Federation and its sections, and the report  
7 required pursuant to paragraph (1), at each regularly scheduled  
8 section meeting.
- 9 (D) Engage in a comprehensive outreach effort to promote the  
10 public hearings described in subparagraphs (A) and (C).
- 11 (c) This section shall become inoperative on January 1, 2012,  
12 unless a later enacted statute, that is enacted before January 1,  
13 2012, deletes or extends that date.